

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

v.

HAROLD WOLFORD

Defendant.

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Crim Action No. 08-29

MEMORANDUM ORDER

Pending before the Court is Defendant Harold Wolford's *pro se* "Motion to Have Substitute Counsel Appointed [Title 18 U.S.C. 3006A] Sixth Amendment U.S. Constitution" [Doc. #41]. The basis for Defendant's Motion is that he opines that his current court-appointed counsel is not providing him with effective assistance of counsel. Wolford requests substitute counsel, specifically "the Federal Public Defender for the Western District of Pennsylvania."

This is not Defendant's first complaint about his defense counsel. He has previously filed *pro se* motions with this Court in which he has either implicitly or explicitly complained about his counsel's representation.

It is clear that there has been a breakdown in the attorney-client relationship between Wolford and current defense counsel. Therefore, we will grant Defendant's motion and appoint new defense counsel in this case. Defendant must understand, however, that while he is guaranteed the right to counsel by the Sixth Amendment, he does not have an absolute right to appointed counsel of his own choosing. See Siers v. Ryan, 773 F.2d 37 (3rd Cir. 1985) ("[a]lthough indigents in criminal cases have a fundamental right to have counsel appointed to

represent them, there is no corollary right to have any special rapport or even confidence in the court-appointed counsel. In Morris [v. Slappy, 461 U.S. 1, 13-14 (1983)], the Supreme Court explicitly rejected the notion that the sixth amendment guarantees a criminal defendant a “meaningful relationship” with his counsel. The right to counsel does not include more than the right to representation by competent counsel at trial. Nor is there an absolute right to counsel of one's choice.”) (citations and footnote omitted). Defendant’s new defense counsel is Adam Cogan, Esquire.

AND NOW, this 18th day of May, 2009, it is hereby ORDERED, ADJUDGED, AND DECREED that Defendant’s *pro se* “Motion to Have Substitute Counsel Appointed [Title 18 U.S.C. 3006A] Sixth Amendment U.S. Constitution” [Doc. #41] is GRANTED.

It is further ORDERED, ADJUDGED, AND DECREED that Stephen Begler is withdrawn as defense counsel. New counsel is Adam Cogan, Esquire; a CJA20 Form shall be completed by the Court forthwith.

Maurice B. Cohill, Jr.
Maurice B. Cohill, Jr.
Senior District Court Judge

cc: Harold Wolford
#09750-089
NEOCC
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